

21

Notice of Allowability	Application No.	Applicant(s)	
	09/560,819	OAGAWA, HIROSHI	
	Examiner	Art Unit	
	Sikha Roy	2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 10/13/06.
2. ☒ The allowed claim(s) is/are 1,3-8,10,12,14 and 16-18.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|---|---|

DETAILED ACTION

Response to Amendment

The Amendment, filed on October 13, 2006 has been entered and acknowledged by the Examiner.

The new drawing of Figs. 1A and 1B have been entered and are approved by the Examiner.

Applicant's arguments filed October 13, 2006 have been fully considered and are persuasive. The rejection of the application has been withdrawn.

Election/Restrictions

Claims 1,3-8,10,12,14 and 16 are directed to an allowable product. Pursuant to the procedures set forth in MPEP § 821.04(B), claims 17 and 18, directed to the process of making or using an allowable product, previously withdrawn from consideration as a result of a restriction requirement, are hereby rejoined and fully examined for patentability under 37 CFR 1.104.

Because all claims previously withdrawn from consideration under 37 CFR 1.142 have been rejoined, **the restriction requirement as set forth in the Office action mailed on December 1, 2005 is hereby withdrawn.** In view of the withdrawal of the restriction requirement as to the rejoined inventions, applicant(s) are advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once the restriction requirement is withdrawn, the

Art Unit: 2879

provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Richard Gallagher on December 6, 2006.

The application has been amended as follows:

In the Claims

Claim 1 has been replaced with the following text:

-- A radiation image conversion panel comprising at least two phosphor layers each containing a stimutable phosphor and a binder, wherein an amount of the binder to the stimutable phosphor in uppermost phosphor layer of the phosphor layers is greater than that of the binder to the stimutable phosphor in any other phosphor layer by at least 0.5 wt.% ; wherein the radiation image conversion panel is produced by thermo-compressing at least two phosphor sheets, each containing a phosphor layer, which have been separately coated and dried; and the thickness of the uppermost phosphor layer is increased relative to the thickness of a phosphor layer beneath the uppermost phosphor layer.---

In claim 3 line 2, '(by weight)' has been deleted.

Claim 14 has been replaced with the following text:

-- A radiation image conversion panel comprising at least two phosphor layers each containing a stimuable phosphor and a binder, wherein an amount of the binder to the stimuable phosphor in uppermost phosphor layer of the phosphor layers is greater than that of the binder to the stimuable phosphor in any other phosphor layer by at least 0.5 wt.%, wherein the thickness of the uppermost phosphor layer is decreased relative to the thickness of a phosphor layer beneath the uppermost phosphor layer, and wherein the radiation image conversion panel is produced by thermo-compressing at least two phosphor sheets, each containing a phosphor layer, which have been separately coated and dried.

Claim 16 line 7, 'the top layer to the bottom layer' has been replaced with -- a top layer to a bottom layer--.

In Claim 17 following changes have been made:

Line 4 '(by weight)' has been deleted.

Line 7, 'the uppermost layer' has been replaced with -- the uppermost phosphor layer--

Line 8, 'a layer' has been replaced with -- a phosphor layer--.

Line 9 'uppermost layer' has been replaced with -- uppermost phosphor layer--.

Line 12 '(by weight)' has been deleted.

Art Unit: 2879

In claim 18 following changes have been made:

Line 4 '(by weight)' has been deleted.

Line 7, 'the uppermost layer' has been replaced with -- the uppermost phosphor layer—

Line 8, 'a layer' has been replaced with – a phosphor layer--.

Line 9 'uppermost layer' has been replaced with – uppermost phosphor layer--.

Line 12 '(by weight)' has been deleted.

Allowable Subject Matter

Claims 1,3-8,10,12,14,16 - 18 are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

Regarding claims 1, and 14 the prior art taken alone or in combination neither discloses nor makes obvious the instant radiation image conversion panel as claimed as a whole. Specifically prior art fails to teach the thermo-compressed phosphor sheets each containing a phosphor layer which have been separately coated and dried and the thickness of the uppermost phosphor layer being different from that of the phosphor layer beneath.

Claims 3-8,10,12 are allowed for the same reason as cited for claim 1 because of their dependency status from claim 1.

Claim 16 is allowed for its dependency status from claim 14.

Regarding claims 17 and 18 the prior art taken alone or in combination neither discloses nor makes obvious the method of manufacturing the instant radiation image conversion panel, specifically the step of thermo-compressing at least two phosphor

Art Unit: 2879

sheets each containing a phosphor layer which have been separately coated and dried, the phosphor layers having different thickness varying from uppermost layer to the layers beneath.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sikha Roy whose telephone number is (571) 272-2463. The examiner can normally be reached on Monday-Friday 8:00 a.m. – 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sikha Roy

Sikha Roy
Patent Examiner
Art Unit 2879